United Nations A/62/412/Add.1

General Assembly

Distr.: General
20 November 2007

Original: English

Sixty-second session
Agenda item 40

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Reniery **Valladares-Gómez** (Honduras)

I. Introduction

1. Information on the prior consideration of agenda item 40 by the Special Political and Decolonization Committee (Fourth Committee) appears in the report of the Committee contained in document A/62/412.

2. The Fourth Committee resumed its consideration of the item at its 23rd meeting, on 14 November 2007 (see A/C.4/62/SR.23).

3. For its consideration of the item, the Committee had before it the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1] chapter XII of which contained draft resolution V, entitled "Question of Tokelau".

4. At its 3rd meeting, on 9 October, the Committee had decided to postpone to a later date action on the draft resolution.

5. At the 23rd meeting, on 14 November, the representative of Papua New Guinea made a statement in his capacity as the representative of the Special Committee during the second referendum to determine the future status of Tokelau, held from 20 to 24 October 2007 (see A/C.4/62/SR.23).

6. At the same meeting, the representative of New Zealand also made a statement (see A/C.4/62/SR.23).

[1] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 23* (A/62/23).

07-59606 (E) 271107

II. Consideration of draft resolution A/C.4/62/L.7

7. At the same meeting, the representative of Cuba, in his capacity as the Acting Chairman of the Special Committee, introduced a draft resolution entitled "Question of Tokelau" (A/C.4/62/L.7), which took into account the latest development in the Territory.

8. Also at the same meeting, the Committee adopted draft resolution A/C.4/62/L.7 without a vote (see para. 9).

III. Recommendation of the Special Political and Decolonization Committee (Fourth Committee)

9. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolution:

Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Non-Self-Governing Territories, in particular General Assembly resolution 61/127 of 14 December 2006,

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Also noting with appreciation the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Recalling the inauguration in 1996 of a national legislative body, the General Fono, based on village elections by universal adult suffrage and the assumption by that body in June 2003 of full responsibility for the Tokelau budget,

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories and that, as a case study pointing to successful cooperation for decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

Recalling that New Zealand and Tokelau signed in November 2003 a document entitled "Joint statement of the principles of partnership", which sets out in writing, for the first time, the rights and obligations of the two partner countries,

Bearing in mind the decision of the General Fono at its meeting in November 2003, following extensive consultations undertaken in all three villages, to explore formally with New Zealand the option of self-government in free association and its decision in August 2005 to hold a referendum on self-government on the basis of a draft constitution for Tokelau and a treaty of free association with New Zealand,

1. *Notes* that Tokelau remains firmly committed to the development of its capacity for self-government;

[1] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 23* (A/62/23), chap. X.

2. *Welcomes* the substantial progress made towards the devolution of power to the three taupulega (village councils), in particular the delegation of the Administrator's powers to the three taupulega with effect from 1 July 2004 and the assumption by each taupulega from that date of full responsibility for the management of all its public services;

3. *Recalls* the decision of the General Fono in November 2003, following extensive consultations in all three villages and a meeting of the Special Committee on the Constitution of Tokelau, to explore formally with New Zealand the option of self-government in free association, and the discussions subsequently held between Tokelau and New Zealand pursuant to the General Fono decision;

4. *Recalls also* the decision of the General Fono in August 2005 to hold a referendum on self-government on the basis of a draft constitution for Tokelau and a treaty of free association with New Zealand, and notes the enactment by the General Fono of rules for the referendum;

5. *Acknowledges* Tokelau's initiative in devising a strategic economic development plan for the period 2007-2010;

6. *Also acknowledges* the continuing assistance that New Zealand has committed to promoting Tokelau's welfare, as well as the cooperation of the United Nations Development Programme;

7. *Further acknowledges* Tokelau's need for continued support from the international community;

8. *Welcomes* the establishment and operation of the Tokelau International Trust Fund to support the future development needs of Tokelau, and calls upon Member States and international and regional agencies to contribute to the Fund and thereby lend practical support to assist this emerging country in overcoming the problems of smallness, isolation and lack of resources;

9. *Also welcomes* the assurance of the Government of New Zealand that it will meet its obligations to the United Nations with respect to Tokelau and abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

10. *Further welcomes* the cooperative attitude of the other States and territories in the region towards Tokelau, and their support for its economic and political aspirations and its increasing participation in regional and international affairs;

11. *Calls upon* the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops;

12. *Welcomes* the actions taken by the administering Power to transmit information regarding the political, economic and social situation of Tokelau to the Secretary-General;

13. *Notes* the considerable progress made towards the adoption of a Constitution and of national symbols by Tokelau, and the steps taken by Tokelau and New Zealand to agree to a draft treaty of free association as a basis for an act of self-determination;

14. *Also notes* that a referendum to determine the future status of Tokelau held in February 2006 failed to produce the two-thirds majority of the valid votes cast required by the General Fono to change Tokelau's status as a Non-Self-Governing Territory under the administration of New Zealand;

15. *Further notes* the decision of the General Fono to conduct a further referendum to determine the future status of Tokelau from 20 to 24 October 2007;

16. *Commends* the professional and transparent conduct of both the February 2006 and the October 2007 referendums, monitored by the United Nations;

17. *Notes* that the October 2007 referendum also failed to produce the two-thirds majority of the valid votes cast required by the General Fono to change Tokelau's status as a Non-Self-Governing Territory under the administration of New Zealand;

18. *Welcomes* the commitment of both Tokelau and New Zealand to continue to work together in the interests of Tokelau and its people, taking into account the principle of the right to self-determination;

19. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its sixty-third session.